

**ORDINANCE AMENDMENT REVIEW SHEET**

**Amendment:** C20-2015-007 Educational Facilities

**Description:** Consider an amendment to Title 25 of the City Code relating to site development standards for educational facilities.

**Proposed Language:** See attached draft ordinance language.

**Summary of proposed code changes:**

The Land Development Code exempts public primary and secondary educational facilities from most site development regulations. However, public schools are subject to interlocal agreements that provide development regulations to address common aspects of development.

Charter schools are not subject to interlocal agreements, yet are treated the same as public schools for purposes of exemptions from the Land Development Code. The result is that public schools must comply with significantly greater restrictions on development than charter schools.

The amendments set forth will make development of charter and public schools subject to essentially the same development regulations by codifying standards that mirror those in effect for public schools under their interlocal agreements with the City.

The interlocal agreements with public schools will remain in effect and will control in the event of a conflict.

**Background:**

August 18, 2015 - Initiated by Planning Commission Codes and Ordinances Subcommittee.

This item was previously on Codes and Ordinances agenda on October 15, 2013 and was discussed as a possible initiation. The Commissioners voted 5-0 to have staff do more research on interlocal agreements, but they did not initiate the item.

August 25, 2015 - Initiated by Planning Commission

April 7, 2016 - Council set the public hearing for May 5, 2016

May 5, 2016 – Council postponed to June 9, 2016.

May 17, 2016 - Scheduled for Planning Commission Codes and Ordinance Subcommittee approval (postponed from April 19, 2016)

May 24, 2016 - Scheduled for Planning Commission recommendation to Council (postponed from 4/26/2016)

June 9, 2016 – Public hearing at Council and possible action on Ordinance.

**Staff Recommendation:** Recommended

**Board and Commission Actions:**

**May 17, 2016:** Forwarded with no recommendation from the Codes and Ordinances Subcommittee (lack of affirmative vote).

**May 24, 2016:** To be reviewed by the Planning Commission.

**Council Action:**

**June 9, 2016:** A public hearing has been set.

**Ordinance Number:** NA

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**DRAFT CODE AMENDMENTS AND REVIEW SHEET:**  
**SITE DEVELOPMENT REGULATIONS FOR EDUCATIONAL FACILITIES**

May 5, 2016

**Summary of Proposed Amendments**

The Land Development Code exempts “public primary and secondary educational facilities” from most site development regulations, which includes both schools operated by a public school district and charter schools. However, public school districts are subject to separate interlocal “land development standards” agreements negotiated by the City with individual school districts to address setbacks, impervious cover, compatibility, and other common aspects of development.<sup>1</sup>

Charter schools, on the other hand, are not subject to the school district interlocal agreements, yet are treated the same as schools operated by a public school district for purposes of exemptions from the Land Development Code. As a result, charter schools are exempt from many of the development regulations that apply to other public schools and to civic and commercial uses.

The amendments set forth below would make development of all public schools subject to essentially the same development regulations by codifying standards in the Land Development Code that mirror those in effect under the school district interlocal agreements. However, the interlocal agreements with public school districts would remain in effect and would control in the event of a conflict with the Land Development Code.<sup>2</sup>

**Text of Proposed Amendments**

**1. Land Use Definitions.**

State law requires that “open enrollment charter schools” be treated the same as public schools for purposes of municipal zoning regulations. To clarify this, the

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<sup>1</sup> Local Government Code § 212.902 authorizes certain municipalities to execute interlocal development agreements with public school districts.

<sup>2</sup> See City Code § 25-2-835 (*School District Development Agreements*).

land use definitions for “educational facilities” under Section 25-2-6 (*Civic Uses Described*) would be amended to read as follows:

- (37) PUBLIC PRIMARY EDUCATIONAL FACILITIES use is the use of a site for a public school offering instruction at the elementary school level in the branches of learning and study required to be taught in the public schools of the state. The term includes an open enrollment charter school as defined under the Texas Education Code.
- (38) PUBLIC SECONDARY EDUCATIONAL FACILITIES use is the use of a site for a public school offering instruction at the junior and senior high school levels in the branches of learning and study required to be taught in the public schools of the state. The term includes an open enrollment charter school as defined under the Texas Education Code.

## **2. Site Development Regulations – Chapter 25-2 (Zoning).**

To codify site development regulations for schools, Section 25-2-834 (*Public Facility School Waiver*) would be repealed and Section 25-2-833 (*Public School Facility Standards*) would be replaced with the following new code section:

### **§ 25-2-833 EDUCATIONAL FACILITY DEVELOPMENT STANDARDS.**

- (A) Except as provided in Section 25-2-835 (*School District Development Agreements*), this section applies to development of a public primary or secondary educational facility.
- (B) This subsection specifies the minimum setback required from a public primary or secondary educational facility and an adjoining residential, intensive recreational, or activity center use.
  - (1) Within the boundaries of the Austin Independent School District, a public primary or secondary educational facility must be constructed within the setbacks required under the applicable regulations of this chapter.
  - (2) Outside the boundaries of the Austin Independent School District, a public primary or secondary educational facility may not be constructed closer than 25 feet from an adjoining residential use.

- (C) This subsection specifies maximum height of a public primary or secondary educational facility.
- (1) Within the boundaries of the Austin Independent School District, the height of a public primary or secondary educational facility may not exceed the lesser of:
- (a) 60 feet;
  - (b) 30 feet, if the facility is located within 50 feet of a single-family residential base district or a single-family use; or
  - (c) 40 feet, if the facility is located within 100 feet of a single-family residential district or a single-family use.
- (2) Outside the boundaries of the Austin Independent School District, the height of a public primary or secondary educational facility may not exceed the lesser of:
- (a) two stories or 30 feet, if the facility is located within 50 feet of a single-family residential base district or single-family use; or
  - (b) three stories or 40 feet, if the facility is located within 100 feet of a single family residential base district or single family use.
- (D) A public primary or secondary educational facility within the boundaries of the Austin Independent School District is not subject to Chapter 25-2, Subchapter C, Article 10 (*Compatibility*). Outside the boundaries of the Austin Independent School District, the compatibility standards specified under this subsection apply.
- (1) An intensive recreational use associated with a public primary or secondary educational facility, excluding a multi-use trail and including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining property:
- (a) in an SF-5 or more restrictive zoning district; or

- (b) on which a use permitted in an SF-5 or more restrictive zoning district is located.
- (2) Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property:
  - (a) in an urban family residence (SF-5) or more restrictive zoning district; or
  - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located.

**3. Exemption – Chapter 25-2, Subchapter C, Article 10 (*Compatibility*).**

Schools are exempt from compatibility standards, except for those requirements that are specifically captured in Section 25-2-833(F) (above). To make this clear, Subsection (B) of Section 25-2-1051 (*Applicability*) would be amended to read as follows:

- (B) In Subsection (A), a civic use is a:
- (1) college and university facilities use;
  - (2) community recreation (private) use;
  - (3) community recreation (public) use;
  - (4) day care services (commercial) use;
  - (5) park and recreation services (special) use;
  - (6) private primary educational facilities use;
  - (7) a private secondary educational facilities use; or
  - ~~[(8) a public primary educational facilities use;~~
  - ~~(9) [a public secondary educational facilities use; or]~~
  - ~~[(10)] a religious assembly use.~~

**4. Exemption – Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*).**

School districts are not subject to commercial design standards under Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*). To codify this exemption, amend Section 1.2.4.A (*Exemptions*) of Subchapter E to add the following new paragraph and renumber the remaining paragraphs accordingly:

4. Development of a public primary or secondary educational facility;
- 5. Exemption – Chapter 25-5 (*Site Plans*).**

Staff proposes amending Chapter 25-5 (*Site Plans*) to remove the general exemption for schools from the requirement to submit a site plan application. To do this, City Code Section 25-5-2 (*Site Plan Exemptions*) would be amended to repeal Subsections (F) and (G) and to renumber the remaining subsections accordingly.

This amendment would ensure that development of charter schools is subject to site plan review procedures under Chapter 25-5, while continuing to allow public schools to utilize the review procedures established under their interlocal agreements with the City.

**6. Impervious Cover – Chapter 25-8 (*Environment*).**

Schools are currently exempt from both zoning and watershed impervious cover restrictions under the Land Development Code, but public schools districts are subject to certain limits on impervious cover (primarily tied to watershed) through their interlocal agreements with the City. To generally mirror those standards, Chapter 25-8 (*Environment*) would be amended to add the following new section:

**§ 25-8-366 IMPERVIOUS COVER RESTRICTIONS FOR EDUCATIONAL FACILITIES.**

- (A) This section establishes maximum impervious cover restrictions for development of a public primary or secondary educational facility.
- (B) The maximum impervious cover for development of a public primary or secondary educational facility is the lesser of the following:
  - (1) in an urban watershed, 65 percent gross site area;

- (2) in a suburban watershed, 50 percent gross site area;
- (3) in a water supply watershed, outside of an urban watershed and the Barton Springs Zone, 50 percent net site area;
- (4) in the Barton Springs Zone, the maximum impervious cover allowed under Article 13 (*Save Our Springs*); or
- (5) the maximum impervious cover allowed under Section 25-2-492 (*Site Development Regulations*) for the base zoning district in which the educational facility is located.

**7. Traffic – Chapter 25-6 (*Transportation*).**

To better address the impact of schools on traffic in surrounding neighborhoods, staff proposes requiring a Neighborhood Traffic Analysis for development of new educational facilities (charters or public schools). To do this, Subsection (A) of Section 25-6-114 (*Neighborhood Traffic Analysis Required*) would be amended to read as follows:

- (A) The director shall conduct a neighborhood traffic analysis for a project proposed in a site development permit application or a zoning or rezoning application if:
  - (1) the project has access to a residential local or collector street as described in Subsection (C); and
  - (2) one of the following applies:
    - (a) the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 vehicle trips per day;
    - (b) the application is for a public primary or secondary educational facility.



Dear Chair Oliver and Members of the Planning Commission,

I am writing regarding the proposed amendments for charter school facilities, scheduled for your May 24th agenda. While the final draft ordinance is not yet available, I strongly urge you to support the amendments as outlined by city staff at the May 17th Codes and Ordinances meeting.

Please understand that this case is not about the merits of charter schools vs. traditional public schools, nor about whether the state provides adequate funding for either one. Rather, it is to ensure that open-enrollment charters and traditional public schools are treated equally with regard to zoning, as required by state law.

Texas Education Code, Section 12.103, states: "an open-enrollment charter school is subject to federal and state laws and rules governing public schools and to municipal zoning ordinances governing public schools." The intent of state law is thus quite clear: traditional public schools and open-enrollment charter schools must be treated equally when it comes to zoning and land development.

That zoning ordinances must be applied equally to traditional public schools and open-enrollment charters.

As your backup indicates, Austin public school districts are currently governed, not by actual zoning ordinances, but by separate interlocal land development agreements with the city. Austin also has an obsolete provision on the books that exempts public schools from virtually all LDC provisions. These combined factors have created a massive alleged loophole recently discovered by charter operators. One local charter school has already claimed complete exemption from land development regulations, resulting in a grossly incompatible project that has caused distress and severely compromised the property values and quality of life for nearby residents.

With more projects likely in the pipeline, the city should act quickly to restore equality of zoning treatment as mandated by state law and avoid further vesting of unfair development rights under the current loophole.

Please consider the following points:

**1. State law requires equal treatment – the city may not legally carve out special considerations for charters.** AISD, the largest public school district in Austin, has operated as a good neighbor for many decades through its interlocal land development agreement, which requires compliance with compatibility standards. State law simply requires that charter operators do the same. The proposed amendments will bring the city code into conformance with state law, ensuring fair and equal treatment for traditional public schools and open-enrollment charters.

**2. Exemptions to zoning ordinances should not be based on alleged special status or financial hardship.** At the Codes and Ordinances meeting, charter school operators contended they should be allowed to continue to avoid compliance with city zoning ordinance because they believe they do good works and they feel basic zoning regulations present a financial hardship. But if good works and alleged financial hardship become criteria for zoning exemptions, every nonprofit in town will quickly be asking for the same deal. Individual waivers on a case-by-case basis are nothing new, but wholesale changes in zoning code to benefit a single group should be strenuously resisted. And if financial hardship is a basis for consideration, please recall AISD's loss of \$181 million to the state's "recapture" system in 2015, a figure expected to balloon to almost half a billion by FY2019.

**3. Charters are not publicly accountable to Austin voters.** Open-enrollment charter schools are publicly funded, but privately managed, and may be operated for profit or as nonprofits. Unlike traditional ISDs, charter school boards are not publicly elected and are not accountable to area voters; board meetings generally take place at the charter's headquarters, which may be hundreds or even thousands of miles from an actual charter campus. Charters have operated in Texas for 20 years and currently serve approximately 189,000 Texas students, as opposed to 5.1 million students served by traditional public ISDs.

**4. Facility funding is available to charters, including bond programs.** Some charter school representatives have claimed they deserve a blanket exemption from zoning standards because they don't have access to facilities funding. Not only is this a poor basis for city policy, but also it is largely untrue. While not allowed to levy a facilities tax rate, charter schools do have many sources of state and federal facilities funding, including the state's New Instructional Facilities Allotment, Permanent School Fund Bond Guarantee Program, Foundation School Program Credit Enhancement Program, and the federal qualified school construction bond program, as well as a variety of charter-focused private foundation and investor funding, not available to traditional public schools.

**5. Any fiscally sound enterprise should not have trouble meeting basic zoning requirements.** Some charter operators have stated that even basic city zoning regulations create a significant hardship for facility construction. But if your fiscal situation is so precarious that you cannot afford one-time construction fees, you probably have no business opening a school. The state has already closed a number of charters for failure to meet basic fiscal standards, disrupting students and families. The city should not encourage operators on shaky financial ground to open schools by reducing standard zoning regulations to accommodate them.

**6. Given charters' 40 percent closure rate, they are a poor bet for additional zoning privileges.** Even if state law allowed preferential zoning treatment for charters (which it doesn't), charter schools' short shelf life makes them poor candidates for special development rights. Over 40 percent of Texas charters have closed in the past 20 years, with nearly 90 charter campuses closing in the past 5 years alone. What becomes of these building when they cease operations as schools?

From a planning perspective, it is especially troubling that the majority of these charter closures were voluntary. Under the current loophole, there is nothing to prevent a charter from building a large incompatible structure in the middle of a neighborhood, then immediately closing it and selling it to the highest bidder.

Charter schools are a relatively new experiment, having been operational in Texas only since 1996. Of the 318 open enrollment charters issued to date, 136 have already closed, according to the Texas Education Agency - a closure rate of over 40 percent. Of these closures, 89 were voluntary closures and 47 were default closures, meaning licenses were revoked or not renewed. Because a single charter allows multiple campuses in multiple locations, many buildings may be affected by just one charter closure. (Both TEA documents are attached).

Due to charters' well-documented lower academic and fiscal performance, they are also far more likely to be closed by the state, compared to traditional ISD campuses. A 2012 Sunset Advisory Commission report found:

- The percentage of charter schools rated Academically Unacceptable was nearly twice that of traditional public schools;
- The percentage of charter operators failing state fiscal accountability standards was more than six times that of traditional public schools;
- Charters enrolled less than 5% of Texas students, but represented 71% of campuses facing academic sanctions.

In the wake of this report, legislators passed a law to hasten closure of underperforming charters, requiring a charter to be revoked after just three years of failing to meet academic or fiscal standards. Though 14 charters were revoked in the first year of the new law, recent TEA data shows that on average charters continue to underperform on both academic and fiscal standards, as compared to traditional public schools.

Traditional ISDs, such as AISD, are stable entities that have operated in Texas for over 170 years pursuant to the Texas Constitution, which requires the state to maintain a system of free public schools. Traditional ISDs cannot close voluntarily and the state has only rarely closed a traditional public campus under

state sanctions (even in those isolated cases, such as Eastside Memorial, the school remained an operational AISD campus under mandated state management). Austin's major school district, AISD, has a well-delineated and lengthy public process should a building ever need to be repurposed. Unlike a charter, it cannot simply turn out the lights and walk away.

**7. Traditional public schools care for all students.** At the Codes & Ordinances meeting, I was dismayed to hear charter operators perpetuating the myth of "failing" public schools. In fact, AISD is doing a great job by Austin students. Unlike charters, AISD does not have the luxury of dismissing students or families who may not meet their standards. Each day, AISD cares for more than 83,000 students, nearly 60 percent of whom are economically disadvantaged, with almost 30 percent English Language Learners, and nearly 90 languages spoken. Despite these challenges, AISD schools last year earned 220 Distinctions for Outstanding Performance spread across 73 campuses. In fact, some of its poorest schools are also some of its highest achieving. Blackshear Elementary, with over 80 percent low-income students, was named a U.S. Department of Education Blue Ribbon School. Webb Middle School, with almost 95% low-income students and over 55% English Language Learners, has received national recognition and performs comparably with the well-off suburban middle schools. As the statistics in the previous section show, it is a myth that charters are doing a job that no one else can. Marketing hype notwithstanding, on average, they do not perform nearly as well as Austin's traditional public schools.

To sum up, state law is clear that zoning ordinances must be applied equally to traditional public schools and open-enrollment charters. The proposed ordinance as outlined at Codes and Ordinances achieves this goal and is worthy of your strong support.

I apologize for the length of this email, but it is a complex topic. As always, thank you for your service and please don't hesitate to contact me if you wish to discuss any of these issues.

Best,  
Susan Moffat

CDN	CHARTER NAME/AUTHORIZING ISD	CDCN	CAMPUS NAME	CLOSURE REASON
101817	ALPHONSO CRUTCH'S-LIFE SUPPORT CENTER	101817001	ALPHONSO CRUTCH'S-LIFE SUPPORT CENTER	Charter Closure (Other)
227801	AMERICAN YOUTHWORKS CHARTER SCHOOL	227801001	AMERICAN YOUTH WORKS CHARTER SCHOOL	Other
227801	AMERICAN YOUTHWORKS CHARTER SCHOOL	227801002	AMERICAN YOUTH WORKS SERVICE LEARNING ACADEMY	Charter Closure (Other)
021805	ARROW ACADEMY	021805001	ARROW ACADEMY	Other
227818	AUSTIN CAN ACADEMY CHARTER SCHOOL	227818001	AUSTIN CAN ACADEMY CHARTER SCHOOL	Charter Closure (Merger)
227901	AUSTIN ISD	227901024	IDEA ALLAN COLLEGE PREP	Other
227901	AUSTIN ISD	227901191	IDEA ALLAN ACADEMY	Other
212803	AZLEWAY CHARTER SCHOOL	212803001	AZLEWAY CHARTER SCHOOL	Charter Closure (Other)
212803	AZLEWAY CHARTER SCHOOL	212803002	AZLEWAY CHARTER SCHOOL WILLOW BEND	Charter Closure (Other)
212803	AZLEWAY CHARTER SCHOOL	212803003	AZLEWAY CHARTER SCHOOL	Other
101820	BENJI'S SPECIAL EDUCATIONAL ACADEMY CHARTER SCHOOL	101820001	BENJI'S SPECIAL EDUCATION ACADEMY CHARTER SCHOOL	Charter Closure (Other)
021803	BRAZOS SCHOOL FOR INQUIRY & CREATIVITY	021803103	BRAZOS SCHOOL FOR INQUIRY & CREATIVITY - NORTHWEST	Enrollment
101837	CALVIN NELMS CHARTER SCHOOLS	101837101	CALVIN NELMS HOSPITAL CAMPUS	Other
101823	CHILDREN FIRST ACADEMY OF HOUSTON	101823101	CHILDREN FIRST ACADEMY OF HOUSTON	Charter Closure (Merger)
024801	ENCINO SCHOOL	024801101	ENCINO SCHOOL	Charter Closure (Other)
220804	FORT WORTH CAN ACADEMY	220804001	FORT WORTH CAN ACADEMY	Charter Closure (Merger)
220804	FORT WORTH CAN ACADEMY	220804002	RIVER OAKS	Charter Closure (Merger)
227812	FRUIT OF EXCELLENCE	227812001	FRUIT OF EXCELLENCE SCHOOL	Charter Closure (Other)
232801	GABRIEL TAFOLLA ACADEMY	232801001	GABRIEL TAFOLLA CHARTER SCHOOL	Other
232801	GABRIEL TAFOLLA ACADEMY	232801101	GABRIEL TAFOLLA ACADEMY	Charter Closure (Merger)
015812	GEORGE I SANCHEZ CHARTER HS SAN ANTONIO BRANCH	015812001	GEORGE I SANCHEZ CHARTER H S SAN ANTONIO BRANCH	Charter Closure (Other)
015813	GUARDIAN ANGEL PERFORMANCE ARTS ACADEMY	015813041	GUARDIAN ANGEL PERFORMANCE ACADEMY	Charter Closure (Other)
101857	HARMONY SCHOOL OF INNOVATION	101857001	HARMONY SCHOOL OF INGENUITY	Charter Closure (Other)
101857	HARMONY SCHOOL OF INNOVATION	101857101	HARMONY SCHOOL OF INNOVATION	Charter Closure (Other)
227822	HARMONY SCHOOL OF SCIENCE - AUSTIN	227822101	HARMONY SCHOOL OF SCIENCE - AUSTIN	Charter Closure (Other)
123806	HARMONY SCIENCE ACAD (BEAUMONT)	123806001	HARMONY SCIENCE ACADEMY (BEAUMONT)	Charter Closure (Other)
031803	HARMONY SCIENCE ACAD (BROWNSVILLE)	031803001	HARMONY SCIENCE ACADEMY - BROWNSVILLE	Charter Closure (Merger)
021804	HARMONY SCIENCE ACAD (COLLEGE STATION)	021804001	HARMONY SCIENCE ACAD (COLLEGE STATION)	Charter Closure (Other)
071806	HARMONY SCIENCE ACAD (EL PASO)	071806003	HARMONY SCIENCE ACADEMY - WEST HOUSTON	Other
220813	HARMONY SCIENCE ACAD (FORT WORTH)	220813001	HARMONY SCIENCE ACAD (FORT WORTH)	Charter Closure (Merger)
220813	HARMONY SCIENCE ACAD (FORT WORTH)	220813002	HARMONY SCIENCE ACADEMY GRAND PRAIRIE	Charter Closure (Merger)
220813	HARMONY SCIENCE ACAD (FORT WORTH)	220813003	HARMONY SCHOOL OF INNOVATION - DALLAS	Other
220813	HARMONY SCIENCE ACAD (FORT WORTH)	220813004	HARMONY SCIENCE ACADEMY - EULESS	Charter Closure (Merger)
220813	HARMONY SCIENCE ACAD (FORT WORTH)	220813005	HARMONY SCHOOL OF NATURE & ATHLETICS	Charter Closure (Merger)

CDN	CHARTER NAME/AUTHORIZING ISD	CDCN	CAMPUS NAME	CLOSURE REASON
220813	HARMONY SCIENCE ACAD (FORT WORTH)	220813006	HARMONY SCHOOL OF INNOVATION - FORT WORTH	Charter Closure (Merger)
220813	HARMONY SCIENCE ACAD (FORT WORTH)	220813101	HARMONY SCHOOL OF INNOVATION-EULESS	Charter Closure (Merger)
101846	HARMONY SCIENCE ACAD (HOUSTON)	101846004	HARMONY SCIENCE ACADEMY - BEAUMONT	Other
101846	HARMONY SCIENCE ACAD (HOUSTON)	101846041	HARMONY SCIENCE ACADEMY -DALLAS	Other
101846	HARMONY SCIENCE ACAD (HOUSTON)	101846101	HARMONY SCIENCE ACADEMY - HOUSTON NW	Other
240804	HARMONY SCIENCE ACAD (LAREDO)	240804001	HARMONY SCIENCE ACADEMY - LAREDO	Charter Closure (Merger)
152805	HARMONY SCIENCE ACAD (LUBBOCK)	152805001	HARMONY SCIENCE ACAD (LUBBOCK)	Charter Closure (Merger)
152805	HARMONY SCIENCE ACAD (LUBBOCK)	152805002	HARMONY SCIENCE ACADEMY - ODESSA	Charter Closure (Merger)
057825	HONORS ACADEMY	057825001	PINNACLE SCHOOL	Charter Closure (Other)
057825	HONORS ACADEMY	057825004	LANDMARK SCHOOL	Charter Closure (Other)
057825	HONORS ACADEMY	057825005	QUEST ACADEMY	Charter Closure (Other)
057825	HONORS ACADEMY	057825006	BRANCH PARK ACADEMY	Charter Closure (Other)
057825	HONORS ACADEMY	057825010	LEGACY PARK PREPARATORY	Charter Closure (Other)
057825	HONORS ACADEMY	057825012	CREEKVIEW ACADEMY	Charter Closure (Other)
057825	HONORS ACADEMY	057825013	WILMER ACADEMY	Charter Closure (Other)
101851	HOUSTON ALTERNATIVE PREPARATORY CHARTER SCHOOL	101851001	THE PREPARATORY ACADEMY OF HOUSTON	Charter Closure (Other)
101812	HOUSTON CAN ACADEMY CHARTER SCHOOL	101812001	HOUSTON CAN! ACADEMY CHARTER SCHOOL	Charter Closure (Merger)
101812	HOUSTON CAN ACADEMY CHARTER SCHOOL	101812002	HOUSTON CAN ACADEMY HOBBY	Charter Closure (Merger)
101912	HOUSTON ISD	101912143	BRIARMEADOW CHARTER	Other
101912	HOUSTON ISD	101912200	H S FOR BUSINESS AND ECONOMIC SUCC	Other
101912	HOUSTON ISD	101912312	INSPIRED FOR EXCELLENCE ACADEMY NO	Other
101912	HOUSTON ISD	101912326	LEADER'S ACADEMY	Other
101912	HOUSTON ISD	101912332	PRO-VISION SCHOOL	Charter Closure (Other)
101912	HOUSTON ISD	101912334	KALEIDOSCOPE/CALEIDOSCOPIO	Charter Closure (Merger)
101912	HOUSTON ISD	101912343	WALIPP	Other
101912	HOUSTON ISD	101912376	DOMINION ACADEMY CHARTER SCHOOL	Charter Closure (Enrollment)
101912	HOUSTON ISD	101912451	ADVANCED VIRTUAL ACADEMY AT SCARBO	Other
101912	HOUSTON ISD	101912452	INTERNATIONAL H S AT SHARPSTOWN	Other
101912	HOUSTON ISD	101912453	VISION ACADEMY	Charter Closure (Other)
101912	HOUSTON ISD	101912454	EMPOWERMENT SOUTH EARLY COLLEGE H	Other
101822	JAMIE'S HOUSE CHARTER SCHOOL	101822001	JAMIE'S HOUSE CHARTER SCHOOL	Charter Closure (Other)
101822	JAMIE'S HOUSE CHARTER SCHOOL	101822101	JOSHUA'S LEARNING LAND	Charter Closure (Other)
101852	JUAN B GALAVIZ CHARTER SCHOOL	101852001	JUAN B GALAVIZ CHARTER SCHOOL	Charter Closure (Other)
015822	JUBILEE ACADEMIC CENTER	015822004	BCFS - SAN ANTONIO	Other
101860	KIPP SOUTHEAST HOUSTON	101860001	KIPP 3RD WARD SCHOOL	Charter Closure (Merger)
101860	KIPP SOUTHEAST HOUSTON	101860002	KIPP SUNNYSIDE SCHOOL	Charter Closure (Merger)
101860	KIPP SOUTHEAST HOUSTON	101860003	KIPP LIBERATION COLLEGE PREP	Charter Closure (Merger)
101860	KIPP SOUTHEAST HOUSTON	101860004	KIPP SPIRIT COLLEGE PREP	Charter Closure (Merger)
101860	KIPP SOUTHEAST HOUSTON	101860005	KIPP SUNNYSIDE H S	Charter Closure (Merger)
101863	KOINONIA COMMUNITY LEARNING ACADEMY	101863001	KOINONIA COMMUNITY LEARNING ACADEMY	Charter Closure (Other)
057839	LA ACADEMIA DE ESTRELLAS	057839102	LA ACADEMIA DE ESTRELLAS - Kiest BOULEVARD CAMPUS	Other
015811	LA ESCUELA DE LAS AMERICAS	015811101	LA ESCUELA DE LAS AMERICAS	Charter Closure (Other)



CDN	CHARTER NAME/AUTHORIZING ISD	CDCN	CAMPUS NAME	CLOSURE REASON
061803	LEGENDS ACADEMY, THE	061803001	LEGENDS ACADEMY	Charter Closure (Financial)
057807	LIFE SCHOOL	057807103	LIFE SCHOOL MCKINNEY	Other
108906	MCALLEN ISD	108906011	ACHIEVE EARLY COLLEGE H S	Other
220808	METRO ACADEMY OF MATH AND SCIENCE	220808001	METRO ACADEMY OF MATH AND SCIENCE	Charter Closure (Other)
220808	METRO ACADEMY OF MATH AND SCIENCE	220808002	EXCEL CENTER - FORT WORTH	Charter Closure (Other)
220808	METRO ACADEMY OF MATH AND SCIENCE	220808003	EXCEL CENTER - LEWISVILLE	Charter Closure (Other)
101909	NORTH FOREST ISD	101909018	YES PREP NORTH FOREST CAMPUS	District Closure
101834	NORTH HOUSTON H S FOR BUSINESS	101834001	NORTH HOUSTON H S FOR BUSINESS	Other
101834	NORTH HOUSTON H S FOR BUSINESS	101834101	NORTH HOUSTON MULTI-LANGUAGE ACAD	Other
101834	NORTH HOUSTON H S FOR BUSINESS	101834101	NORTH HOUSTON MULTI-LANGUAGE ACAD	Charter Closure (Financial)
235801	OUTREACH ACADEMY	235801001	OUTREACH WORD ACADEMY	Charter Closure (Other)
072801	PARADIGM ACCELERATED CHARTER SCHOOL	072801002	PARADIGM ACCELERATED CHARTER SCHOOL - COMANCHE	Other

**Summary of Charter Awards and Closures****Subchapter D. Open-Enrollment Charters Awarded**

<u>Generation</u>	<u>Total Awards</u>
First Generation (1996)	20
Second Generation (1997)	41
Third Generation (1998-99)	109
Fourth Generation (2000)	19
Fifth Generation (2000)	5
Sixth Generation (2000)	16
Seventh Generation (2001)	13
Eighth Generation (2002)	2
Ninth Generation (2003)	6
Tenth Generation (2004)	5
Eleventh Generation (2005)	13
Twelfth Generation (2006)	11
Thirteenth Generation (2007)	13
Fourteenth Generation (2008)	9
Fifteenth Generation (2010)	7
Sixteenth Generation (2011)	8
Seventeenth Generation (2012)	8
Eighteenth Generation (2013)	3
Nineteenth Generation (2014)	5
Twentieth Generation (2015)	5
<b>TOTAL</b>	<b>318</b>

**Subchapter D. Open-Enrollment Charter Closures**

<u>Type of Closure</u>	<u>Total</u>
<b>Default Closures</b>	<b>47</b>
Revocations	33
Expirations/Non-Renewals	14
<b>Voluntary Closures</b>	<b>89</b>
Surrenders/Returns	46
Consolidations	43
<b>Discretionary Non-Renewals</b>	<b>0</b>
<b>TOTAL</b>	<b>136</b>

**Subchapter D. Open-Enrollment Charter Summary**

<u>Status</u>	<u>Count</u>
Total Awarded	318
Total Closures	-136
Active Charters	182
Active but not Operational	0
Operational Charters	182

**Subchapter E. Open-Enrollment Charters Awarded = 6****Adult Education Charter School Pilot Program = 1**



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## Summary of Charter Awards and Closures

**Default Closures** (includes revocations under Texas Education Code (TEC) §§ 12.115(a), 12.115(c), and expirations/non-renewals under TEC §12.1141(d))

### Revocations

Charter	Generation	Action Date	Status
(155801) Cypress Lodge	01	1/16/1998	Revoked
(161803) E.L. Harrison	02	7/1/1999	Revoked
(015804) Rameses	02	1/14/2000	Revoked
(021801) Brazos Valley	03	7/13/2001	Revoked
(101844) Prepared Table	03	8/15/2002	Revoked
(227802) Texas Academy of Excellence	01	8/16/2005	Revoked
(015813) Guardian Angel Performance Arts Academy	03	8/24/2010	Revoked
(220806) Theresa B Lee Academy	03	4/7/2011	Revoked
(101831) Jesse Jackson Academy	03	4/7/2011	Revoked
(101851) Houston Alternative Preparatory Charter School	06	7/1/2011	Revoked
(015824) San Antonio Preparatory Academy	07	7/1/2011	Revoked
(220808) Metro Academy of Math and Science	05	7/1/2011	Revoked
(235801) Outreach Academy	07	8/5/2011	Revoked
(101834) North Houston High School for Business	03	11/7/2011	Revoked
(101820) Benji's Special Educational Academy Charter School	03	1/17/2012	Revoked
(101817) Alphonso Crutch's-Life Support Center	03	7/18/2013	Revoked
(101852) Juan B Galaviz Charter School	07	2/19/2014	Revoked
(101822) Jamie's House Charter School	03	6/30/2014	Revoked
(101863) Koinonia Community Learning Academy	14	6/30/2014	Revoked
(101854) Richard Milburn Academy (Suburban Houston)	06	6/30/2014	Revoked
(057825) Honors Academy	03	6/30/2014	Revoked
(212803) Azleway Charter School	07	8/19/2014	Revoked
(227801) American YouthWorks Charter School	01	8/22/2014	Revoked
(220818) Prime Prep Academy	16	2/9/2015	Revoked
(101809) Bay Area Charter School	02	8/21/2015	Revoked
(243801) Bright Ideas Charter	03	8/21/2015	Revoked
(057815) Faith Family of Oak Cliff	03	8/21/2015	Revoked
(101805) Girls and Boys Preparatory Academy	01	8/21/2015	Revoked
(015803) Higgs, Carter, King Gifted & Talented Charter Academy	02	8/21/2015	Revoked
(108801) Ignite Public Schools and Community Service Centers	01	8/21/2015	Revoked
(101801) Medical Center Charter School	01	8/21/2015	Revoked
(071808) Somerset Charter School	13	8/21/2015	Revoked
(014802) Transformative Charter Academy	02	8/21/2015	Revoked

**Summary of Charter Awards and Closures****Default Closures** (continued)**Non-Revocations**

Charter	Generation	Action Date	Status
(057801) Renaissance Charter School	01	7/31/2001	Expiration
(057820) Rylie Academy	03	7/31/2003	Expiration
(101841) Wa-Set Preparatory Academy	03	7/31/2003	Expiration
(101830) Impact Charter	03	4/19/2005	Non-Renewal
(101808) Academy of Houston	02	4/29/2005	Non-Renewal
(031801) Valley High School	03	8/16/2005	Non-Renewal
(015810) Career Plus Learning Academy	03	6/9/2006	Non-Renewal
(101827) Crossroads Community Education Center Charter School	03	11/6/2006	Non-Renewal
(101818) American Academy of Excellence Houston	03	8/22/2007	Non-Renewal
(227823) SAILL	12	7/2/2009	Abandoned
(101843) Gulf Shores Academy	03	7/20/2009	Non-Renewal
(101848) Northwest Preparatory	05	7/31/2015	Expiration
(116801) Phoenix Charter School	05	7/31/2015	Expiration
(015823) San Antonio Technology Academy	06	7/31/2015	Expiration

**Voluntary Closures** (includes surrenders/returns, conversions, and consolidations)

Charter	Generation	Action Date	Status
(071802) El Paso Community College Charter School	03	11/13/1998	Returned
(101826) HOPE	03	11/5/1999	Returned
(061801) LOVE	03	11/5/1999	Returned
(101825) FAITH	03	11/5/1999	Returned
(057822) POWER	03	11/5/1999	Returned
(227807) Academy of Austin	03	1/14/2000	Returned
(227815) Austin Interactive	03	5/12/2000	Returned
(019801) Neighborhood Pride	03	5/12/2000	Returned
(227813) Sky's the Limit	03	5/12/2000	Returned
(108803) Freedom	03	5/12/2000	Returned
(101839) Space Center Houston	03	7/7/2000	Returned
(191801) Gateway-West Texas A&M	03	7/7/2000	Returned
(102801) Bolding	03	9/15/2000	Returned
(057826) Heritage Academy	03	11/3/2000	Returned
(057812) Crystal Hills	03	3/30/2001	Returned
(101816) All Saints Academy	03	7/13/2001	Returned
(240803) Dr. Henry Cuellar Charter School (Scan)	04	8/10/2001	Returned
(101824) Eastpark Prep.	03	12/13/2001	Returned
(178806) 21st Century Academy of Science and Tech.	03	9/12/2002	Returned
(227810) Kenny Dorham School for Performance	03	9/12/2002	Returned
(084803) Houston Space Center	04	10/8/2002	Returned
(227808) American Academy of Excellence (Austin)	03	10/8/2002	Returned
(019802) Eagle Academy of Texarkana	03	6/27/2003	Returned
Nehemiah Elementary Charter School	06	7/11/2003	Rescinded

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## Summary of Charter Awards and Closures

### Voluntary Closures (continued)

Charter	Generation	Action Date	Status
University of Texas University Charter School	02	2/27/2004	Conversion
(108805) Sentry Technology Prep School	03	10/22/2004	Consolidated
(245801) Children of the Sun Charter School	07	10/22/2004	Consolidated
(178805) Texas Serenity Academy (Bayshore)	03	8/17/2005	Returned
(101835) Northwest Mathematics, Science and Language	03	1/30/2006	Returned
(123802) Eagle Academy of Beaumont	03	7/24/2006	Consolidated
(031802) Eagle Academy of Brownsville	03	7/24/2006	Consolidated
(021802) Eagle Academy of Bryan	03	7/24/2006	Consolidated
(057823) Eagle Academy of Dallas	03	7/24/2006	Consolidated
(233801) Eagle Academy of Del Rio	03	7/24/2006	Consolidated
(220807) Eagle Academy of Fort Worth	03	7/24/2006	Consolidated
(240802) Eagle Academy of Laredo	03	7/24/2006	Consolidated
(152804) Eagle Academy of Lubbock	03	7/24/2006	Consolidated
(165803) Eagle Academy of Midland	03	7/24/2006	Consolidated
(108806) Eagle Academy of Pharr/McAllen	03	7/24/2006	Consolidated
(015818) Eagle Academy of San Antonio	03	7/24/2006	Consolidated
(212802) Eagle Academy of Tyler	03	7/24/2006	Consolidated
(161804) Eagle Academy of Waco	03	7/24/2006	Consolidated
(178803) Coastal Bend Youth City	02	10/9/2006	Returned
(046801) Nancy Ney Charter School	02	10/27/2006	Returned
(141801) Whispering Oaks Charter School	02	3/1/2007	Returned
(015829) General Alfred A Valenzuela International Leadership Academy Charter School	11	8/3/2007	Returned
(227811) McCullough Academy of Excellence	03	8/31/2007	Returned
(161805) Rapoport Academy Prep School	11	6/1/2008	Consolidated
(057818) Lynacre Academy Charter School	03	8/14/2008	Returned
(152801) Richard Milburn Alternative High School (Lubbock)	02	11/20/2008	Consolidated
(165801) Richard Milburn Academy (Midland)	02	11/20/2008	Consolidated
(123801) Academy of Beaumont	03	8/6/2009	Returned
(071805) El Paso School of Excellence	04	2/17/2010	Returned
(015811) La Escuela de las Americas	03	7/1/2010	Returned
(057821) The School of Liberal Arts and Science	03	7/20/2010	Consolidated
(101857) Harmony School of Innovation	10	8/2/2010	Consolidated
(123806) Harmony Science Academy - Beaumont	12	8/2/2010	Consolidated
(227822) Harmony School of Science - Austin	11	8/2/2010	Consolidated
(021804) Harmony Science Academy - College Station	12	8/2/2010	Consolidated
(227812) Fruit of Excellence	03	9/1/2010	Returned
(123804) Richard Milburn Academy (Beaumont)	04	9/1/2010	Returned
(101823) Children First Academy of Houston	03	7/1/2011	Consolidated
(178802) Seashore Learning Center Charter	01	7/1/2011	Consolidated
(015812) George I Sanchez Charter HS San Antonio Branch	03	7/31/2011	Returned
(024801) Encino School	02	8/31/2011	Returned
The Pro-Vision Academy	16	4/20/2012	Rescinded
(178809) School of Science and Technology Corpus Christi	13	7/1/2012	Consolidated
(232801) Gabriel Tafolla Academy	02	7/1/2012	Returned

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## Summary of Charter Awards and Closures

### Voluntary Closures (continued)

Charter	Generation	Action Date	Status
(240804) Harmony Science Academy (Laredo)	13	7/31/2012	Consolidated
(061803) The Legends Academy	13	8/31/2012	Returned
(101860) KIPP Southeast Houston	11	7/1/2013	Consolidated
(227818) Austin Can Academy Charter School	06	7/1/2013	Consolidated
(220804) Fort Worth Can Academy	03	7/1/2013	Consolidated
(101812) Houston Can Academy Charter School	02	7/1/2013	Consolidated
(015817) San Antonio Can! High School	03	7/1/2013	Consolidated
Dallas Scholars Charter School	17	8/20/2013	Rescinded
(188801) Richard Milburn Academy (Amarillo)	04	7/1/2014	Consolidated
(068801) Richard Milburn Academy (Ector County)	04	7/1/2014	Consolidated
(220812) Richard Milburn Academy (Fort Worth)	06	7/1/2014	Consolidated
(178804) Richard Milburn Alter High School (Corpus Christi)	02	7/1/2014	Consolidated
(031803) Harmony Science Academy (Brownsville)	13	7/1/2014	Consolidated
(220813) Harmony Science Academy (Fort Worth)	11	7/1/2014	Consolidated
(152805) Harmony Science Academy (Lubbock)	11	7/1/2014	Consolidated
(057838) Uplift Education – Peak Preparatory	10	6/30/2015	Consolidated
(220816) Uplift Education – Summit International Preparatory	13	6/30/2015	Consolidated
(057842) Uplift Education – Williams Preparatory	13	6/30/2015	Consolidated
(057843) Uplift Education – Hampton Preparatory	13	6/30/2015	Consolidated
(015832) City Center Health Careers	14	6/30/2015	Returned
(084801) Mainland Preparatory Academy	02	6/30/2015	Returned